

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2443 – HB 2589

March 6, 2018

SUMMARY OF ORIGINAL BILL: Decreases the probation period for persons appointed to a position in the preferred service from no less than one year to no more than six months.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014259): Deletes and rewrites the proposed legislation such that the amended bill requires an employee in the preferred service who accepts another preferred service position within the same agency to serve a subsequent probationary period for not less than one year and to prohibit an employee from appealing a demotion from that new position if the demotion was to the employee's previous position.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 8-30-308 requires any person appointed to a position in the preferred service to be subject to a probationary period of no less than one year. During this probationary period, the person may be removed by the Commissioner of the Department of Human Resources (DOHR).
- The proposed legislation requires an employee in the preferred service who accepts another preferred service position within the same agency to serve a subsequent probationary period for not less than one year.
- Any person removed during a probationary period is not entitled to an appeal under Tenn. Code Ann. § 8-30-318.
- The proposed legislation prohibits an employee from appealing a demotion from the new position if the demotion was to the employee's previous position.
- The proposed legislation could reduce appeals for suspension, termination, or disciplinary actions. However, any impact to DOHR will be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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